

REMARKS

Claims 1 through 13 are pending in this application. Claims 1 through 4 and 10 through 13 are amended herein. Support for the amendments to the claims generally may be found in the claims as originally filed. Support for the amendments to claim 1 is shown in Fig. 1 and described at page 6, lines 6 through 21 of the specification as filed originally. Support for the amendment to claim 10 is shown in Figs. 4 through 6 and described at page 6, lines 4 through 24 of the specification as filed originally. Support for the amendments to claim 13 is shown in Fig. 9 and described at page 9, lines 13 through 24 of the specification as filed originally. Reconsideration of the application is requested based on the foregoing amendment and the following remarks.

Claim Rejections - 35 U.S.C. § 112:

Claims 1 through 13 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 1, 10 and 13 have consequently been amended to make them more definite. Withdrawal of the rejection is earnestly solicited.

Claim Rejections - 35 U.S.C. § 102:

Claims 1, 5 through 8, and 9 through 13 were rejected under 35 U.S.C. § 102(b) as anticipated by Kimura, US 6,322,875. The rejection is traversed to the extent it might apply to the claims as amended. Reconsideration of the rejection is respectfully requested.

Claim 1 recites, in pertinent part,

“a molded film which is formed over the surface of said undercoat layer so as to cover said undercoat layer and which allows transmission of the metallic color of said undercoat layer.”

It is submitted respectfully that Kimura neither teaches, discloses, nor suggests a *molded* film which is formed over the surface of an undercoat layer so as to cover the undercoat layer and which allows transmission of a metallic color of the undercoat layer, as recited in claim 1. In Kimura, rather, an inorganic thin film is prepared by physical evaporation methods such as vacuum evaporation, sputtering, ion-plating, heat Chemical Vapor Deposition (CVD), plasma CVD, or beam CVD, as described at column 3, lines 46 through 50.

The inorganic thin film of Kimura is deposited on a surface, and thus depends on the *underlying* surface for its structural integrity. The inorganic thin film of Kimura is therefore not a molded film, as recited in claim 1. The inorganic thin film of Kimura is rather a *deposited* film.

This is to be contrasted with the claimed invention in which a molded film is formed over an undercoat. A molded film will possess structural integrity in its own right, irrespective of any surface to which it may adhere. The molded film may thus possess high wear resistance, as described in the specification at page 8, line 9, since it does not derive its structural integrity from the surface to which it is adhered. Claim 1 is thus submitted to be allowable. Withdrawal of the rejection of claim 1 is earnestly solicited.

Claims 5 through 8 depend from claim 1 and add further distinguishing elements. Claims 5 through 8 are thus also submitted to be allowable. Withdrawal of the rejection of claims 5 through 8 is earnestly solicited.

Claim 10 recites, in pertinent part,

"molding a molded film in a button shape."

It is submitted respectfully that Kimura neither teaches, discloses, nor suggests molding a molded film in a button shape. Kimura in fact shows no molded film at all, as discussed above with respect to claim 1. Furthermore, since the inorganic thin film of Kimura is deposited, rather than molded, and derives its form from the structure onto which it is deposited, it could not be made in a button shape, per se. Rather, the inorganic thin film of Kimura would assume the shape of the surface upon which it was deposited. Claim 10 is thus submitted to be allowable. Withdrawal of the rejection of claim 10 is earnestly solicited.

Claims 11 and 12 depend from claim 10 and add further distinguishing elements. Claims 11 and 12 are thus also submitted to be allowable. Withdrawal of the rejection of claims 11 and 12 is earnestly solicited.

Claim 13 recites, in pertinent part,

"said layered film is molded so that a back surface of said undercoat layer covers said base body of said button."

Kimura neither teaches, discloses, nor suggests a *molded* film, as discussed above with respect to claim 1. Claim 13 is thus submitted to be allowable. Withdrawal of the rejection of claim 13 is earnestly solicited.

Claim Rejections - 35 U.S.C. § 103:

Claims 2 through 4 and 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kimura. The rejection is traversed to the extent it might apply to the claims as amended. Reconsideration of the rejection is respectfully requested.

Claims 2 through 4 depend from claim 1 and add further distinguishing elements. Kimura neither teaches, discloses, nor suggests a *molded* film which is formed over the surface of an undercoat layer so as to cover the undercoat layer and which allows transmission of a metallic color of the undercoat layer, as discussed above with respect to claim 1. Kimura in fact shows no molded film at all, as discussed above with respect to claim 1.

Furthermore, claim 2 recites, in pertinent part,

“wherein said molded film is a color film.”

It is submitted respectfully that Kimura neither teaches, discloses, nor suggests a film which is a color film, as recited in claim 2. A color film allows colors other than metallic colors to be used, as described at page 8, lines 17 and 18.

Furthermore, whether two embodiments are described as preferable or not is submitted to have nothing to do with whether they are patentable over a reference.

Finally, the Office Action provides no motivation or suggestion to modify Kimura, as required by 35 U.S.C. § 103(a) and the M.P.E.P. §706.02(j)(D). Claims 2 through 4 are thus also submitted to be allowable. Withdrawal of the rejection of claims 2 through 4 is earnestly solicited.

Claim 13 recites, in pertinent part,

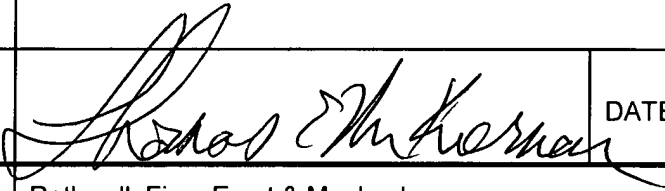
“said layered film is molded so that a back surface of said undercoat layer covers said base body of said button.”

Kimura neither teaches, discloses, nor suggests a *molded* film, as discussed above with respect to claim 1.

Furthermore, the Office Action provides no motivation or suggestion to modify Kimura, as required by 35 U.S.C. § 103(a) and the M.P.E.P. §706.02(j)(D). Claim 13 is thus submitted to be allowable. Withdrawal of the rejection of claim 13 is earnestly solicited.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all claims 1 through 13 are allowable over the cited references. Since the claims have been amended to overcome the rejections based on 35 U.S.C. § 112, second paragraph, it is submitted that all of claims 1 through 13 are now allowable. Allowance of all claims 1 through 13 and of this entire application are therefore respectfully requested.

RESPECTFULLY SUBMITTED,					
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